

EXHIBIT 3 – “House B Contract”

**Tom Allen Excavating
345 Main Street
Nelsonville, NY 10516
845-265-5598 o
845-265-6087 f**

October 15, 2006

**Hudson Way LLC
Route 301 & Hudson Way
Cold Spring, New York 10516**

***Job: Proposal for House Site #2
Cold Spring, New York 10516***

Dear Sirs:

Thank you for considering Tom Allen Excavating for the above referenced location. We propose to furnish all labor, equipment, materials needed to complete the following work for the Hudson Way L.L.C Project as specified on the scope of work.

Work is limited to that which is specified only. It does not include or imply any other work unless specifically listed.

As per the drawings listed as Michelle Thorpe Holubar File #05-119 dated 9/14/06 by Badey & Watson.

1. Cut Trees for Driveway & House Site.
2. Remove all stumps from site.
3. Cut in Driveway & Item #4 same.
4. Dig for Foundation.
5. Install Footing Drains & Tar Foundation
6. Backfill Foundation.
7. Dig Water & Electric lines.
8. Clear Septic Area.
9. Install Septic System as per plan.

The above work will be performed at the contract price of \$35,500.00*

Payment Schedule as follows:

Down Payment to start	\$ 8,000.00
Upon the completion of #1,2,3,4	\$ 6,500.00
Upon the completion of #5,6,7	\$ 8,000.00
Upon the completion of #8	\$ 8,000.00
Upon the completion of #9	\$ 5,000.00

Notes:

In the event an item of work can not go as scheduled in the payment schedule, item of work may be moved to other installment groupings allowing for payments to be made based on work completed.

***Exclusions:**

1. Permits, unless specified.
2. Fines, unless due to Tom Allen Excavating negligence.
3. Blasting.
4. Hammering of rock ledge.
5. Any damage to underground utilities, if any, unless marked.
6. Fill, unless specified.
7. Topsoil, unless specified.
8. Finish grading, unless specified.
9. Any water problems or containment.
10. Septic bank run over and above which is specified on drawing; additional cost for bank run at \$35.00/yard for material and labor to spread.
11. Any surveying.
12. Any Engineering.

Again, thank you for choosing Tom Allen Excavating. Please feel free to contact us regarding this or any other matter. We welcome your call. Please contact us at 914-447-3143 or 845-265-5598.

Please sign both original copies of this proposal; a fully executed copy will be sent under separate cover for your files.

Very truly yours,

Tom Allen Excavating

Thomas E. Allen

Please Note: This proposal may be withdrawn if not accepted within 30 days.

Acceptance of Proposal:

The above prices, specifications and conditions are satisfactory and are hereby accepted. Tom Allen Excavating is hereby authorized to do the work as specified. Payment will be as outlined above. Finance charges are assessed at a rate of 1.5% per month (annual percentage rate of 18%) on all balances over 30 days. Should the above contracted amount not be paid as per the payment schedule, a mechanics lien will be applied to the project and the purchaser shall be responsible for any and all collections including but not limited to attorney fees and court costs.

Tom Allen Excavating

Date

Hudson Way LLC

Date

EXHIBIT 4 – House C Contract”

**Tom Allen Excavating
345 Main Street
Nelsonville, NY 10516
845-265-5598 o
845-265-6087 f**

October 15, 2006

**Hudson Way LLC
Route 301 & Hudson Way
Cold Spring, New York 10516**

**Job: *Proposal for House Site #3*
*Cold Spring, New York 10516***

Dear Sirs:

Thank you for considering Tom Allen Excavating for the above referenced location. We propose to furnish all labor, equipment, materials needed to complete the following work for the Hudson Way LLC Project as specified on the scope of work.

Work is limited to that which is specified only. It does not include or imply any other work unless specifically listed.

As per the drawings listed as Michelle Thorpe Holubar File #05-119 dated 9/14/06 by Badey & Watson.

1. Cut Trees for Driveway & House Site.
2. Remove all stumps from site.
3. Cut in Driveway & Item #4 same.
4. Dig for Foundation.
5. Install Footing Drains & Tar Foundation
6. Backfill Foundation.
7. Dig Water & Electric lines.
8. Clear Septic Area.
9. Install Septic System as per plan.

The above work will be performed at the contract price of \$33,500.00*

Payment Schedule as follows:

Down Payment to start	\$ 8,000.00
Upon the completion of #1,2,3,4	\$ 6,500.00
Upon the completion of #5,6,7	\$ 8,000.00
Upon the completion of #8	\$ 8,000.00
Upon the completion of #9	\$ 5,000.00

Notes:

In the event an item of work can not go as scheduled in the payment schedule, item of work may be moved to other installment groupings allowing for payments to be made based on work completed.

***Exclusions:**

1. Permits, unless specified.
2. Fines, unless due to Tom Allen Excavating negligence.
3. Blasting.
4. Hammering of rock ledge.
5. Any damage to underground utilities, if any, unless marked.
6. Fill, unless specified.
7. Topsoil, unless specified.
8. Finish grading, unless specified.
9. Any water problems or containment.
10. Septic bank run over and above which is specified on drawing; additional cost for bank run at \$35.00/yard for material and labor to spread.
11. Any surveying.
12. Any Engineering.

Again, thank you for choosing Tom Allen Excavating. Please feel free to contact us regarding this or any other matter. We welcome your call. Please contact us at 914-447-3143 or 845-265-5598.

Please sign both original copies of this proposal; a fully executed copy will be sent under separate cover for your files.

Very truly yours,

Tom Allen Excavating

Thomas E. Allen

Please Note: This proposal may be withdrawn if not accepted within 30 days.



Bill & Payments - Summary & Call Details

Account Owner: BJORN HOLUBAR, Account Number: [REDACTED]

Get your wireless billing details by selecting one of the sub-sections below.

Current Payment & Charges

Last Payment Received [REDACTED]

Past Due Balance [REDACTED]

Total Amount Due [REDACTED]

[Make a Payment](#)

Wireless Statement Summary

Select Bill Period:

12/26/06 - 01/25/07

[View Full Bill](#)

[BILL SUMMARY](#)

[CALL DETAILS](#)

Wireless Number: 516-446-1546

Select the type of details to view:

[Phone Book \(What's this?\)](#)

[Voice](#) | [Data](#)

[On](#) | [Off](#) | [Manage](#)

Voice Details

[Download Call Details](#)

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#	DATE	TIME	NUMBER CALLED	MIN	AIRTIME CHARGE	LD DA	TOTAL CHARGE
1	12/26	8:44AM	[REDACTED]	0			0.00
2	12/26		[REDACTED]	0			0.00
3	12/26		[REDACTED]	0			0.00
4	12/26		[REDACTED]	0			0.00
5	12/26		[REDACTED]	0			0.00
6	12/26		[REDACTED]	0			0.00
7	12/26		[REDACTED]	0			0.00
8	12/26		[REDACTED]	0			0.00
9	12/26		[REDACTED]	0			0.00
10	12/26		[REDACTED]	0			0.00
11	12/26		[REDACTED]	9			0.00

12	12/26			0.00	
13	12/26			0.00	
14	12/26			0.00	
15	12/26			0.00	
16	12/26			0.00	
17	12/26	1:31 PM		0.00	
18	12/26	01:31PM	914-447-3143	7	0.00
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20	12/26			0.00	
21	12/26			0.00	
22	12/26			0.00	
23	12/26			0.00	
24	12/27			0.00	
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39	12/27			0.00	
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44	12/27	1		0.00	
45	12/27	1		0.00	
46	12/27	1		0.00	

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				0.00
1				0.00
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				0.00
				0.00
				0.00
				0.00
10				0.00
				0.00
1077	01/18		3	0.00
1078	01/18			0.00
1079	01/18			0.00
1080	01/18			0.00
1081	01/18			0.00
1082	01/18			0.00
1083	01/18			0.00
1084	01/18			0.00
1085	01/18			0.00
1086	01/18		M	0.00
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1207	01/21				0.00
1208	01/21				0.00
1209	01/21				0.00
1210	01/21				0.00
1211	01/21	0	3		0.00
1212	01/21	0	9		0.00
1213	01/22	0	3		0.00
1214	01/22	0	2		0.00
1215	01/22	0	3		0.00
1216	01/22				0.00
1217	01/22				0.00
1218	01/22				0.00
1219	01/22				0.00
1220	01/22				0.00
1221	01/22				0.00
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1234	01/22				0.00
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1236	01/22	0	PM	516-446	0.00

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1266	01/23			0.00
1267	01/23			0.00
1268	01/23			0.00
1269	01/23	12:15PM 914-447-3143	5	0.00
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1271	01/23			0.00

1307	01/24	12:46PM		0.00
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1313	01/24			0.00
1314	01/24			0.00
1315	01/24			0.00
1316	01/24	04:04PM		0.00
1317	01/24			0.00
1318	01/24		9	0.00
1319	01/24			0.00
1320	01/24	04:46PM	914-447-3143	4
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1322	01/24			0.00
1323	01/24			0.00
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1325	01/24			0.00
1326	01/24			0.00
1327	01/24	0		0.00
1328	01/25			0.00
1329	01/25			0.00
1330	01/25	0		0.00
1331	01/25			0.00
1332	01/25			0.00
1333	01/25			0.00
1334	01/25			0.00
1335	01/25			0.00
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1338	01/25			0.00
1339	01/25			0.00
1340	01/25			0.00
1341	01/25			0.00

1342	01/25	1		0.00
1343	01/25	1		1.79
1344	01/25			0.00
1345	01/25			0.00
1346	01/25			0.00
1347	01/25	1		0.00
1348	01/25	1		0.00
1349	01/25	0		0.00
1350	01/25			0.00
1351	01/25			0.00
1352	01/25	02:18PM	914-447-3143	2
1353	01/25			3
1354	01/25			9
1355	01/25			4
1356	01/25	03:58		5
Totals				23.65
				23.65

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EXHIBIT 6 – February 2007 Phone Record Excerpt



Bill & Payments - Summary & Call Details

Account Owner: BJORN HOLUBAR, Account Number [REDACTED]

Get your wireless billing details by selecting one of the sub-sections below.

Current Payment & Charges

Last Payment Received (11-19-07) [REDACTED]

Past Due Balance

Total Amount Due [REDACTED]

Payment Due [REDACTED]

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Wireless Statement Summary

Select Bill Period:

01/26/07 - 02/25/07



[View Full Bill](#)

[BILL SUMMARY](#)

[CALL DETAILS](#)

Wireless Number: 516-446-1546



Select the type of details to view:

[Phone Book \(What's this?\)](#)

[On](#) | [Off](#) | [Manage](#)

[Voice](#) | [Roaming Voice](#) | [Data](#) | [Roaming Data](#)

Voice Details

[Download Call Details](#)

[1 | VIEW ALL](#)

#	DATE	TIME	NUMBER CALLED	MIN	AIRTIME CHARGE	LD DA	TOTAL CHARGE
1	01/26		[REDACTED]				0.00
2	01/26	0	[REDACTED]				0.00
3	01/26	0	[REDACTED]				0.00
4	01/26	0	[REDACTED]				0.00
5	01/26		[REDACTED]				0.00
6	01/26		[REDACTED] 2				0.00
7	01/26		[REDACTED]				0.00
8	01/26		[REDACTED]				0.00
9	01/26		[REDACTED]				0.00
10	01/26		[REDACTED]				0.00
11	01/26	1	[REDACTED]				0.00

257	01/31			0.00
258	01/31			0.00
259	01/31			0.00
260	01/31			0.00
261	01/31	7:00-0127		0.00
262	01/31			0.00
263	01/31			0.00
264	01/31			0.00
265	01/31			0.00
266	01/31			0.00
267	01/31			0.00
268	01/31			0.00
269	01/31			0.00
270	01/31	04:45PM 914-447-3143	4	0.00
271	01/31			0.00
272	01/31			0.00
273	01/31			0.00
274	01/31			0.00
275	01/31			0.00
276	01/31			0.00
277	01/31			0.00
278	01/31			0.00
279	01/31			0.00
280	01/31			0.00
281	01/31			0.00
282	01/			0.00
283	01/31			0.00
284	01/31			0.00
285	01/31			0.00
286	01/31			0.00
287	01/31			0.00
288	01/31			0.00
289	01/31	0		0.00
290	02/01			0.00
291	02/01			0.00

292	02/01	08:21		0.00
293	02/01			0.00
294	02/01			0.00
295	02/01			0.00
296	02/01	0		0.00
297	02/01			0.00
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301	02/01	1		0.00
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306	02/01			0.00
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318	02/01			0.00
319	02/01			0.00
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323	02/01			0.00
324	02/01			0.00
325	02/01			0.00
326	02/01			0.00

432	02/02				0.00
433	02/02				0.00
434	02/02				0.00
435	02/02				0.00
436	02/02				0.00
437	02/02				0.00
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443	02/03				0.00
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460	02/12				0.00
461	02/12				0.00
462	02/12				0.00
463	02/12	12:54PM	914-447-3143	1	0.00
464	02/12	12:55PM	914-447-3143	3	0.00
465	02/12			2	0.00
466	02/12				0.00

467	02/12		1	0.00
468	02/12			0.00
469	02/12			0.00
470	02/12			0.00
471	02/12			0.00
472	02/12			0.00
473	02/12			1.79 1.79
474	02/12			1.79 1.79
475	02/12			1.79 1.79
476	02/12	0		0.00
477	02/12	0		0.00
478	02/12			0.00
479	02/12			0.00
480	02/12			0.00
481	02/12	02		0.00
482	02/12			0.00
483	02/12			0.00
484	02/12		84	0.00
485	02/12		68	0.00
486	02/12			0.00
487	02/12	0		0.00
488	02/12	0		0.00
489	02/12	05		0.00
490	02/12	0		0.00
491	02/12	04:1		0.00
492	02/12	04:35		0.00
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494	02/12			0.00
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496	02/12			0.00
497	02/12			0.00
498	02/12	08	4	0.00
499	02/12		21	0.00
500	02/13		1	0.00
501	02/13		1	0.00

677	02/16			0.00	
678	02/16			0.00	
679	02/16	01:		0.00	
680	02/16			0.00	
681	02/16			0.00	
682	02/16			0.00	
683	02/16			0.00	
684	02/16			0.00	
685	02/16	01:		0.00	
686	02/16			0.00	
687	02/16			0.00	
688	02/16	01:55PM	914-447-3143	1	0.00
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690	02/16	02:03PM	914-447-3143	2	0.00
691	02/16	02:04PM	914-447-3143	3	0.00
692	02/16				0.00
693	02/16	02:			0.00
694	02/16	02:			0.00
695	02/16	02:			0.00
696	02/16	02:			0.00
697	02/16	02:			0.00
698	02/16	02:			0.00
699	02/16	02:			0.00
700	02/16	03:			0.00
701	02/16	03:			0.00
702	02/16	03:			0.00
703	02/16	03:			0.00
704	02/16	03:			0.00
705	02/16	03:34PM	914-447-3143	2	0.00
706	02/16	03:54PM	914-447-3143	2	0.00
707	02/16	03:56PM			0.00
708	02/16				0.00
709	02/16				0.00
710	02/16	04:			0.00
711	02/16	04:			0.00

712	02/16			0.00
713	02/16			0.00
714	02/16			0.00
715	02/16			0.00
716	02/16			0.00
717	02/16			0.00
718	02/16			0.00
719	02/16			0.00
720	02/16			0.00
721	02/16			0.00
722	02/16			0.00
723	02/16			0.00
724	02/16			0.00
725	02/16			0.00
726	02/16			0.00
727	02/16	05:14PM	914-447-3143	0.00
728	02/16	05:31PM	914-447-3143	1
729	02/16			0.00
730	02/16			0.00
731	02/16	05:48PM	914-447-3143	0.00
732	02/16			0.00
733	02/16			0.00
734	02/16			0.00
735	02/16			0.00
736	02/16			0.00
737	02/16			0.00
738	02/16			0.00
739	02/16			0.00
740	02/16			0.00
741	02/16			0.00
742	02/16			0.00
743	02/16			0.00
744	02/16			0.00
745	02/16			0.00
746	02/16	06:46PM	914-447-3143	1

747	02/16				0.00
748	02/16				0.00
749	02/16				0.00
750	02/16				0.00
751	02/16				0.00
752	02/16	07:57PM	914-447-3143	1	0.00
753	02/16				0.00
754	02/16	0			0.00
755	02/16	0			0.00
756	02/16	08			0.00
757	02/16				0.00
758	02/16	08:		2	0.00
759	02/16			5	0.00
760	02/16	0		2	0.00
761	02/16			15	0.00
762	02/16	09:			0.00
763	02/16				0.00
764	02/16	0			0.00
765	02/16				0.00
766	02/16	09:			0.00
767	02/16	09:43PM	914-447-3143	16	0.00
768	02/16				0.00
769	02/16				0.00
770	02/17				0.00
771	02/17				1.79
772	02/17	1			0.00
773	02/17	11:			0.00
774	02/17	0			0.00
775	02/17	0			0.00
776	02/17	0			0.00
777	02/17	02:1			0.00
778	02/17				0.00
779	02/17	0			0.00
780	02/17				0.00
781	02/17	0			0.00

887	02/21			0.00	
888	02/21	01:11		0.00	
889	02/21	01:11		0.00	
890	02/21	03:11		0.00	
891	02/21	03:11		0.00	
892	02/21	03:11		0.00	
893	02/21	03:11		0.00	
894	02/21	03:11		0.00	
895	02/21	03:11		0.00	
896	02/21	03:11		0.00	
897	02/21	03:11		0.00	
898	02/21	03:11		0.00	
899	02/21			0.00	
900	02/21	04:11		0.00	
901	02/21			0.00	
902	02/21			0.00	
903	02/21	05:01PM	914-447-3143	4	0.00
904	02/21			0.00	
905	02/21			0.00	
906	02/21			0.00	
907	02/21			0.00	
908	02/21			0.00	
909	02/21			0.00	
910	02/21			0.00	
911	02/21			0.00	
912	02/21			0.00	
913	02/21			0.00	
914	02/21			0.00	
915	02/21			0.00	
916	02/21			0.00	
917	02/21			0.00	
918	02/21			0.00	
919	02/21		8705		0.00
920	02/22			0.00	
921	02/22	08:11		0.00	

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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MICHELLE HOLUBAR, and
BJORN J. HOLUBAR,

Plaintiffs,

v.

2007 CV 7185
(S. Robinson/M. Fox)

TOM ALLEN, aka
TOMMY ALLEN, aka
THOMAS ALLEN, dba
TOM ALLEN EXCAVATING, and
JOAN ALLEN,

Defendants.

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CERTIFICATE OF SERVICE

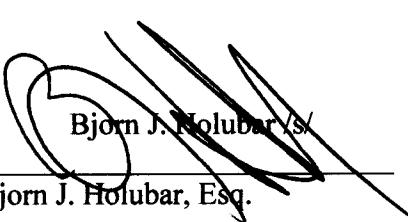
I Bjorn J. Holubar, Esq., an attorney admitted to practice in the Southern District of New York, do hereby affirm under penalty of perjury that:

- 1- Plaintiffs' 3rd Amended Verified Complaint & Jury Demand, and
- 2- this Certificate of Service,

were served on counsel for defendants:

John H. Hersh, Esq.
First Federal Building, Suite 212
Peekskill, New York 10566

by mail on the 1st day of December 2007.


Bjorn J. Holubar /s/
Bjorn J. Holubar, Esq.

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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BJORN J. HOLUBAR,

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2007 CV 7185
(S. Robinson/M. Fox)

TOM ALLEN, aka
TOMMY ALLEN, aka
THOMAS ALLEN, dba
TOM ALLEN EXCAVATING, and
JOAN ALLEN,

Defendants.

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CERTIFICATE OF SERVICE

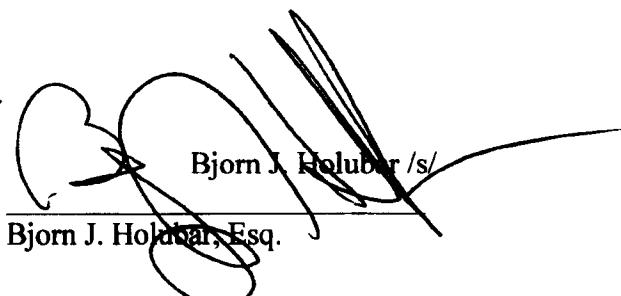
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were served on counsel for defendants:

John H. Hersh, Esq.
First Federal Building, Suite 212
Peekskill, New York 10566

by fax and email on the 30th day of November 2007.


Bjorn J. Holubar /s/
Bjorn J. Holubar, Esq.